

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

MAUVAREEN BEVERLEY,

Plaintiff,

– against –

NEW YORK CITY HEALTH AND HOSPITALS  
CORP., MITCHELL KATZ, *individually and in  
his official capacity as President and Chief  
Operating Officer of NYC Health and Hospitals  
Corp.*, STANLEY BREZENOFF, *individually and  
in his official capacity as Interim President and  
Chief Operating Officer of NYC Health and  
Hospitals Corp.*, and PLACHIKKAT V.  
ANANTHARAM, *individually and in his official  
capacity as Chief Financial Officer of NYC Health  
and Hospitals Corp.*,

Defendants.

**ORDER**

18 Civ. 8486 (ER)

Ramos, D.J.:

The Court granted Defendants’ motion to dismiss on March 30, 2020. Doc. 33. Plaintiff both appealed the decision and filed a motion for reconsideration. The Court denied Plaintiff’s motion for reconsideration on September 25, 2020, but clarified that Plaintiff could seek to re-plead following the resolution of her appeal. Doc. 47 at 16. On May 10, 2021, the Court received a mandate from the Second Circuit, which vacated and remanded the Court’s March 30, 2020 Opinion in light of the Court’s willingness to permit Plaintiff to seek to amend her complaint. Doc. 49.

Plaintiff is therefore permitted to file a motion for leave to file a second amended complaint. If she chooses to do so, Plaintiff must file her motion, along with an attached proposed second amended complaint, by no later than June 1, 2021. Any memoranda in

opposition are due by June 22, 2021, and any reply is due by June 29, 2021.

It is SO ORDERED.

Dated: May 10, 2021  
New York, New York



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Edgardo Ramos, U.S.D.J.